

INSPECTOR GENERAL REPORT

2005-01-0003

July 18, 2005

INDIANA STATE POLICE LABORATORIES

Inspector General David O. Thomas reports to Governor Mitchell E. Daniels, Jr., as follows:

We have developed a new method to notify the Indiana State Police

Laboratories of immediate closures of criminal cases. This will eliminate

unnecessary laboratory testing on closed cases and quicken the remaining

examinations of forensic evidence. Assistance was given by Indiana State Police

former laboratory manager Sergeant Tim Keiser, Indiana Prosecuting Attorney

Council Director Steve Johnson and ProsLink, Inc. President Don Hickman.

The Indiana State Police operates four laboratories in Indiana.² The purpose of these laboratories is to examine evidence submitted by Indiana law enforcement officials and assist them in their criminal investigations and prosecutions. These requests for examination most often involve DNA, drug

¹ "ProsLink, Inc." is a database system used by 82 of the 90 Indiana Prosecuting Attorneys to monitor cases. Information about offenders and their charges are entered daily by county prosecutor staff members and then shared state-wide with other prosecutor offices.

² Laboratories are in Indianapolis, Evansville, Fort Wayne and Lowell.

identification, and microscopic examinations of trace evidence.

The laboratories report that 80% of these submissions come from Indiana law enforcement agencies other than the Indiana State Police, such as county sheriffs and local police agencies. ³

In addition to needing quality examinations, time is of the essence for the alleged victims, alleged perpetrators and investigating law enforcement officers. Prosecuting Attorneys often wait for the results of these laboratory examinations before filing serious felony charges such as murder, rape, child molesting and methamphetamine manufacturing. As a result, these criminals are sometimes in our communities while the laboratory tests are pending. This is because the forensic evidence examinations will often develop the probable cause necessary to seek a warrant for the arrest of the criminal.

As most criminal charges in Indiana are resolved through guilty pleas, the county Prosecuting Attorney is usually in the best position to first know when criminal cases have concluded. Laboratory examinations become unnecessary after a criminal defendant pleads guilty. Even though there is currently no tracking system to detect when this situation occurs, all persons interviewed agreed that there have been instances of laboratory examinations proceeding needlessly on closed cases because the laboratory was not timely advised that the case was over. This laboratory time could be devoted to the remaining requests for examination.

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³ Indiana State Police website at www.in.gov/isp.

⁴ The preservation of the evidence may still be necessary after a defendant's conviction, but in that event, time is not of the essence. The evidence may merely wait in the lab until further instructions are given for its preservation.

At least eighty-two (82) of the ninety (90) Indiana Prosecuting Attorneys rely on a state-wide computer database system known as ProsLink. Staff members at the county prosecutor offices currently enter data on new criminal charges and their resolutions, and this computer information is shared with the other prosecutor offices throughout the state. Each participating county receives a daily, digital report of all criminal history matches across the state on the persons that have been recently charged. Likewise, a report is sent to all prosecutors upon the conviction of each defendant from each county. Data is collected from the prosecutors' offices each night. This system is endorsed by the Indiana Prosecuting Attorneys' Council (IPAC).

A resolution to the inefficiency of analyzing evidence on closed cases is being realized by providing ISP access to the Proslink system information.

Several alternative remedies are being pursued. One of these involves ProsLink sending a digital email list to the ISP laboratories showing the closure of cases so that ISP may cross-reference its case submissions and terminate testing on the closed cases. Another remedy would involve adding a simple, additional field in the existing process when prosecutors' offices enter dispositional data in order to close a case. This new field would ask if there is evidence at the lab, and if so, the user would provide the corresponding laboratory number. ProsLink would capture this laboratory information along with the other data entered for the closure of the case, and then immediately electronically disseminate this information of closure to the laboratories.

Indiana Prosecuting Attorneys should be commended for participating in

this remedy and making their database system available for this efficiency project.

Hopefully they and the citizens of Indiana will benefit by receiving more quickly the forensic examination results from the laboratories in order to assist them in convicting the guilty and exonerating the innocent.

Dated this 18th day of July, 2005.

Respectfully submitted,

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David O. Thomas, Inspector General